

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

VICTOR R. CARDENAS,)	No. CV-10-5029-CI
)	
Plaintiff,)	ORDER GRANTING STIPULATED
)	MOTION TO REMAND PURSUANT TO
v.)	SENTENCE FOUR OF 42 U.S.C.
)	§ 405(g)
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

BEFORE THE COURT is the parties' stipulated Motion to Remand of the above-captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 25.) Attorney Thomas A. Bothwell represents Plaintiff Victor Cardenas; Special Assistant United States Attorney Kathy Reif represents Defendant. The parties have consented to proceed before a magistrate judge. (Ct. Rec. 7.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' stipulated Motion to Remand (Ct. Rec. 25) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall further develop the record regarding whether Plaintiff exhibited deficits in adaptive functioning prior to the age of 22; reassess the medical evidence, including whether Plaintiff met or equaled listing 12.05C; obtain, if necessary, vocational expert testimony to assess at step five

1 whether Plaintiff can perform any other work that exists in
2 significant numbers the national economy; and issue a new decision.

3 2. Judgment shall be entered for the **PLAINTIFF**.

4 3. Plaintiff's Motion for Summary Judgment (**Ct. Rec. 15**) is
5 stricken as moot.

6 4. Defendant's Motion for an Extension of Time (**Ct. Rec. 22**)
7 is stricken as moot.

8 5. An application for attorney fees may be filed by separate
9 motion.

10 The District Court Executive is directed to enter this Order,
11 forward copies to counsel, and thereafter shall close this file.

12 DATED March 25, 2011.

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14 S/ CYNTHIA IMBROGNO
15 UNITED STATES MAGISTRATE JUDGE
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